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Mail Stop Non-Fee Amendments, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

ELECTION UNDER 35 USC §121  
Examining Group 1642  
Patent Application  
Docket No. SPO-116  
Serial No. 10/070,569

May 8, 2003

David Saliwanchik

David R. Saliwanchik, Patent Attorney

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Alana M. Harris, Ph.D.  
Art Unit : 1642  
Applicants : Takashi Muramatsu, Kohji Okamoto, Shinya Ikematsu, Munehiro Oda,  
Hideshi Kumai, Sadatoshi Sakuma  
Serial No. : 10/070,569  
Conf. No. : 7190  
Filed : March 8, 2002  
For : Early Cancer Tumor Marker

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated April 30, 2003, the applicants hereby elect to prosecute the Group I claims, i.e. claims 1-9, 13 and 14, drawn to a method for detecting cancer comprising measuring the level of midkine in a biological sample thereby indicating the presence of early cancer.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



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